

Senate Bill No. 909

Passed the Senate September 4, 2007

Secretary of the Senate

Passed the Assembly August 30, 2007

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 35120 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 909, Simitian. School districts: governing board members: compensation.

Existing law establishes the amount of compensation for the services of a member of the city board of education or governing board of a school district who attends all governing board meetings based on the average daily attendance of the school district for the prior school year.

This bill would double the compensation amount that may be prescribed for each average daily attendance category of school districts.

The people of the State of California do enact as follows:

SECTION 1. Section 35120 of the Education Code is amended to read:

35120. (a) (1) In a school district in which the average daily attendance for the prior school year exceeded 400,000, a member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for his or her services a sum not to exceed four thousand dollars (\$4,000) per month.

(2) In a school district that is not located in a city and county, and in which the average daily attendance for the prior school year exceeded 60,000, the governing board may prescribe, as compensation for the services of a member of the board who attends all meetings held, a sum not to exceed three thousand dollars (\$3,000) per month.

(3) In a school district in which the average daily attendance for the prior school year was 60,000, or less, but more than 25,000, a member of the city board of education or the governing board of the school district who attends all meetings held may receive

as compensation for his or her services a sum not to exceed one thousand five hundred dollars (\$1,500) per month.

(4) In a school district in which the average daily attendance for the prior school year was 25,000, or less, but more than 10,000, a member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for his or her services a sum not to exceed eight hundred dollars (\$800) per month.

(5) In a school district in which the average daily attendance for the prior school year was 10,000, or less, but more than 1,000, a member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for his or her services a sum not to exceed four hundred eighty dollars (\$480) per month.

(6) In a school district in which the average daily attendance for the prior school year was 1,000, or less, but more than 150, a member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for his or her services a sum not to exceed two hundred forty dollars (\$240) per month.

(7) In a school district in which the average daily attendance for the prior school year was 150, or less, a member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for his or her services a sum not to exceed one hundred twenty dollars (\$120) per month.

(8) A member who does not attend all meetings held in a month may receive, as compensation for his or her services, an amount not greater than the maximum amount allowed by this subdivision divided by the number of meetings held and multiplied by the number of meetings attended.

(9) For the purposes of providing compensation pursuant to paragraphs (1) to (7), inclusive, average daily attendance for the prior school year may be increased by a school district's percentage of excused absences reported for the 1996–97 fiscal year.

(b) The compensation of members of the governing board of a school district newly organized or reorganized shall be governed by subdivision (a). For this purpose, the total average daily attendance in all of the schools of the school district in the school year in which the organization or reorganization became effective

shall be considered the average daily attendance in the district for the prior school year.

(c) A member may be paid for a meeting when absent if the board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting he or she is performing services outside the meeting for the school district or districts, he or she was ill or on jury duty, or the absence was due to a hardship considered acceptable by the board.

(d) Compensation provided pursuant to this section shall be a charge against the funds of the school district. If the city board of education or the governing board of the school district is the governing board of more than one school district, the compensation shall be charged against and paid by the respective school districts in the same proportion as the salary of the city superintendent of schools is charged against them. Compensation shall be reduced by an amount equal to salary or compensation paid to the members of the city board of education from funds of the city.

(e) On an annual basis, the governing board may increase the compensation of individual board members beyond the limits described in this section, in an amount not to exceed 5 percent based on the present monthly rate of compensation. An increase made pursuant to this subdivision shall be effective upon approval by the governing board.

Approved _____, 2007

Governor